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2
3 UNITED STATES DISTRICT COURT

4 DISTRICT OF NEVADA

5 * * *

6 KATHLEEN MCINTYRE,

Case No. 2:25-cv-00730-MMD-NJK

7 Plaintiff,

ORDER

8 v.

9 UPS, *et al.*,

10 Defendants.

11 Pro se Plaintiff Kathleen McIntyre is attempting to sue Defendants UPS and
12 Amazon regarding a dispute about returning a rug. (ECF No. 1-1.) Before the Court is the
13 Report and Recommendation (“R&R”) of United States Magistrate Judge Nancy J. Koppe
14 (ECF No. 5), recommending the Court dismiss this case without prejudice for lack of
15 subject matter jurisdiction and because McIntyre did not timely respond to Judge Koppe’s
16 earlier order to show cause as to jurisdiction. To date, no objections to the R&R have
17 been filed. Because there is no objection, and as further explained below, the Court will
18 adopt the R&R and dismiss this case without prejudice.

19 Because there is no objection, the Court need not conduct de novo review, and is
20 satisfied that Judge Koppe did not clearly err. *See United States v. Reyna-Tapia*, 328
21 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and
22 recommendations is required if, but *only* if, one or both parties file objections to the
23 findings and recommendations.” (emphasis in original)). Judge Koppe explains in the
24 R&R that jurisdiction appears lacking, and McIntyre did not timely respond to her order to
25 show cause why this case should not be dismissed without prejudice. (ECF No. 5 at 1-2.)
26 Judge Koppe accordingly recommends dismissal of this case without prejudice to refiling
27 in an appropriate state court. (*Id.*) Having reviewed the R&R, Judge Koppe did not clearly
28 err.

1 It is therefore ordered that Judge Koppe's Report and Recommendation (ECF No.
2 5) is accepted and adopted in full.

3 It is further ordered that this case is dismissed, in its entirety, without prejudice.

4 It is further ordered that McIntyre's application to proceed in forma pauperis (ECF
5 No. 1) is denied as moot.

6 The Clerk of Court is directed to enter judgment accordingly and close this case.

7 DATED THIS 3rd Day of June 2025.

A handwritten signature in blue ink, appearing to read 'Miranda M. Du', is written over a horizontal line.

MIRANDA M. DU
UNITED STATES DISTRICT JUDGE